



## ***Preventing Child Sex Abuse Act of 2022***

### **CHILD SEX TOURISM (18 U.S.C. § 2423)**

As chairman of the Judiciary Committee in 2017, Senator Grassley convened the first congressional hearing on protecting young athletes from sexual abuse.<sup>1</sup> He also conducted oversight of the U.S. Olympic Committee's response following the Larry Nassar scandal.<sup>2</sup>

In 2017, Larry Nassar was found guilty of several state sex offenses. However, he was not charged federally for his illicit sexual contact with minors, even though he had crossed state and international lines to commit this conduct. (He did plead guilty to charges of acquiring and possessing child pornography in federal court 2017.<sup>3</sup>) While investigating Nassar, federal authorities doubted whether his actions could be federally prosecuted based on the language of 18 U.S.C. § 2423(b), the sex trafficking statute.

This bill amends that statute so that federal authorities can prosecute pedophiles and sexual predators who cross state lines with the intent to engage in illicit sexual conduct. Had this language been in the statute during Nassar's conduct, federal authorities would have felt confident in prosecuting him under this statute.

### **PREVENTING ABUSE UNDER THE GUISE OF CHARITY (18 U.S.C. § 2423)**

The Department of Justice is increasingly dealing with cases in which Americans use their U.S. ties to support charity-based or missionary work in a foreign country as a cover for sexual abuse of children. This section creates a provision that prohibits employees and volunteers of international charities or businesses from using their work with the business or charity to further illicit sexual conduct.

### **DEFINING SEXUAL ACTIVITY WITH MINORS (18 U.S.C. § 2427)**

Federal courts are divided on what "sexual activity" means in portions of the U.S. Code, especially in the face of technological innovations (like webcams and messaging platforms) since the bill was originally passed. One court ruled that "sexual activity" required physical contact, which made it easier for pedophiles to take advantage of minors through online chats and telephone calls.

This fix clarifies that Congress wants to protect our children from as much danger as we can, including the psychological trauma of non-physical sexual abuse.

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<sup>1</sup> Senate Judiciary Committee full committee hearing, "Protecting Young Athletes From Sexual Abuse," Mar. 28, 2017, video available at <https://www.judiciary.senate.gov/meetings/protecting-young-athletes-from-sexual-abuse>.

<sup>2</sup> Press Release, "Grassley Seeks Details On U.S. Olympic Committee's Response Following Nassar Scandal," (Jan. 23, 2019), available at <https://www.grassley.senate.gov/news/news-releases/grassley-seeks-details-us-olympic-committee-s-response-following-nassar-scandal>.

<sup>3</sup> Casey Harrison, Nassar pleads guilty to three counts of child porn in federal court, awaits sentencing, STATE NEWS (Jul. 11, 2017), available at <https://statenews.com/article/2017/07/nassar-pleads-guilty-to-three-counts-of-child-porn-in-federal-court-awaits-sentencing>.